

REMARKS

By this amendment, Applicants have amended claims 29, 36, 38-39, 48, 54, and 55, and added claims 56-57. As a result, claims 29-57 are pending in this application. These amendments are being made to facilitate early allowance of the presently claimed subject matter. Applicants do not acquiesce in the correctness of the objections and rejections and reserve the right to pursue the full scope of the subject matter of the original claims, or claims that are potentially broader in scope, in the current and/or a related patent application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, the Office objects to claims 38 and 48 for referencing "the sensor" instead of "the sensor casing". By this response, Applicants have amended the claims to recite "the device". As a result, Applicants respectfully request withdrawal of these objections.

Additionally, the Office rejects claims 48 and 53 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. In particular, the Office alleges that the scope of the recitation of "additional optical interface" of claim 48 cannot be determined. By this response, Applicants have amended claim 48 to reference the at least one optical interface. The Office also alleges that the recitation of "the sensor" in claim 53 lacks sufficient antecedent basis. By this response, Applicants have amended claim 29 to include a sensor. As a result, Applicants respectfully request withdrawal of the rejections of claims 48 and 53 as allegedly being indefinite.

Additionally, the Office rejects claims 29-36, 38, 43, 44, 46, 48, and 50-55 under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 7,442,125

(Paulsen). In order to maintain a proper rejection under 35 U.S.C. § 102, the Office must show that a single reference discloses each feature of the claimed invention. In particular, the Office must show that “[t]he identical invention... [is] shown in as complete detail as is contained in the... claim” to maintain a rejection under 35 U.S.C. § 102. See, e.g., MPEP § 2131, citing *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). To this extent, in order to anticipate the claimed inventions, the reference must “disclose[] within the four corners of the document not only all of the limitations claimed but also all of the limitations arranged or combined in the same way as recited in the claim.” *Net MoneyIN, Inc. v. VeriSign, Inc.*, No. 2007-1565, pp. 17-18 (Fed. Cir. 2008). Applicants respectfully submit that the Office fails to present such a showing.

For example, with respect to claim 29, Applicants respectfully submit that the Office fails, *inter alia*, to show that Paulsen discloses a plurality of different coloured lighting devices in which each of a plurality of switching states of a sensor corresponds to a unique combination of zero or more of the plurality of lighting devices having an active lighting element as claimed therein. In support of the rejection, the Office alleges that the red, green, and blue LEDs of Paulsen correspond to Applicants' claimed lighting devices. However, Applicants note that the various combinations of illumination of the LEDs discussed in Paulsen are unrelated to switching states of a sensor as in claim 29.

As a result, Applicants respectfully request withdrawal of the rejections of claim 29, and claims 30-36, 38, 43, 44, 46, 48, and 50-53, which depend therefrom, as allegedly being anticipated by Paulsen.

With further respect to claim 53, Applicants respectfully submit that the Office fails to show that Paulsen discloses a sensor selected from the enumerated group of claim 53. In support of the rejection, the Office alleges that Paulsen's proximity sensor allegedly discloses the claimed sensor. However, Applicants note that Paulsen includes no disclosure that the switching states of the proximity sensor are related at all to illumination of the LEDs. As a result, Applicants again respectfully request withdrawal of the rejection of claim 53.

With respect to claim 54, Applicants submit that the Office fails, *inter alia*, to show that Paulsen discloses a device that includes all the features claimed therein. For example, for reasons that should be clear from the discussion of Paulsen above, Applicants submit that Paulsen fails to disclose the device of claim 54, including a sensor and a plurality of different coloured lighting devices, in which each of a plurality of switching states of the sensor corresponds to a unique combination of zero or more of the plurality of lighting devices having an active lighting element as claimed therein. As a result, Applicants respectfully request withdrawal of the rejection of claim 54 as allegedly being anticipated by Paulsen.

With respect to claim 55, Applicants submit that the Office fails, *inter alia*, to show that Paulsen discloses a device that includes all the features claimed therein. For example, for reasons that should be clear from the discussion of Paulsen above, Applicants submit that Paulsen fails to disclose the device of claim 55, including a sensor and a plurality of different coloured lighting devices, in which each of a plurality of switching states of the sensor corresponds to a unique combination of zero or more of the plurality of lighting devices having an active lighting element as claimed therein.

With further respect to claim 55, Applicants respectfully submit that the Office fails to show that Paulsen discloses a transparent casing part subdivided into a plurality of segments, each of which is associated with the at least one lighting element of only one of the lighting devices as claimed therein. In support of the rejection, the Office alleges that the stages of Paulsen allegedly correspond to the segments of claim 55. However, Applicants note that each stage of Paulsen includes LEDs having multiple colors, and which are operated independent from one another.

As a result, Applicants respectfully request withdrawal of the rejection of claim 55 as allegedly being anticipated by Paulsen.

Further, the Office rejects claims 37, 39-42, 45 and 46 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Paulsen. Applicants note that the Office relies on its interpretation of Paulsen as allegedly teaching all the features of claim 29, from which these claims depend. To this extent, Applicants hereby incorporate the arguments presented above for claim 29. Additionally, Applicants respectfully submit that the various features of claims 37, 39-42, 45 and 46 for which the Office takes Official Notice are not common knowledge or well-known in the art. In particular, Applicants respectfully submit that the inclusion of such features in a device having a sensor and multiple different coloured lighting devices for indicating switching states of the sensor is not common knowledge or well-known. To this extent, Applicants respectfully request that the Office provide documentary evidence to support each of these findings. As a result, Applicants request withdrawal of the rejections of claims 37, 39-42, 45 and 46 as allegedly being unpatentable over Paulsen.

Further, the Office rejects claim 49 under 35 U.S.C. §103(a) as allegedly being unpatentable over Paulsen in view of U.S. Patent No. 6,679,621 (West). Applicants note that the Office relies on its rejection of independent claim 29, from which claim 49 depends. To this extent, Applicants incorporate the arguments presented above with respect to claim 49. Further, Applicants submit that the proposed addition of West, even if, *arguendo*, proper, fails to address the deficiencies discussed above with respect to the rejection of claim 29. As a result, Applicants respectfully request withdrawal of these rejections.

Applicants submit that each of the pending claims is patentable for one or more additional unique features. To this extent, Applicants do not acquiesce to the Office's interpretation of the claimed subject matter or the references used in rejecting the claimed subject matter. Additionally, Applicants do not acquiesce to the Office's combinations and modifications of the various references or the motives cited for such combinations and modifications. These features and the appropriateness of the Office's combinations and modifications have not been separately addressed herein for brevity. However, Applicants reserve the right to present such arguments in a later response should one be necessary and/or in a related patent application, either of which may seek to obtain protection for claims of a potentially broader scope.

In light of the above, Applicants respectfully request withdrawal of all pending rejections of the claims. Should the Examiner require anything further to place the application in condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the number listed below.

Respectfully submitted,

/John LaBatt/

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